

**R277. Education, Administration.**

**R277-486. Professional Staff Cost Program.**

**R277-486-[2]1. Authority and Purpose.**

[A-](1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision of public education in the Board~~[-by]~~;

(b) Subsection 53E-3-401(4), which allows the Board to ~~[adopt]~~make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law~~[in accordance with its responsibilities.]; and~~

(c) Subsection 53F-2-305(2), which authorizes the Board to ~~[adopt]~~make a rule ~~[to]~~requiring~~[e]~~ a certain percentage of a LEA's professional staff to be licensed in the area ~~[in which]~~ the teacher teaches ~~[in order for the LEA]~~ to receive full funding under the state statutory formula~~[-and by]~~.

[B-](2) The purpose of this rule is to satisfy statutory ~~[or federal regulatory]~~ percentages of licensed staff in an LEA~~[and support LEAs in recruiting and retaining highly educated and experienced educators for instructional, administrative and other types of professional employment in public schools].~~

**R277-486-[4]2. Definitions.**

[A- "Board" means the Utah State Board of Education.]

[B-](1) "Comprehensive Administration of Credentials for Teachers in Utah Schools (CACTUS)" means the electronic file maintained on all licensed Utah educators~~[-The file]~~ that includes~~[-information such as]~~:

~~[(1)]~~(a) personal directory information;

~~[(2)]~~(b) educational background;

~~[(3)]~~(c) endorsements;

~~[(4)]~~(d) employment history;

~~[(5)]~~(e) professional development information; and

~~[(6)]~~(f) a record of any disciplinary action taken against the educator.

~~[C. "ESEA" means the Elementary and Secondary Education Act, also known as the No Child Left Behind Act, P.L. 107-110, Title I, Part A, Subpart 1, Sec. 1119, January 8, 2002.]~~

~~(3)[D.] "FTE" means full time equivalent.~~

~~[E. "LEA" means a local education agency, including local school boards/public school districts, and charter schools.]~~

~~(2)[F.] "National Board certified educator" means an educator who has been certified by the National Board for Professional Teaching Standards (NBPTS)[-by successfully completing a three-year process that may include national content-area assessment, an extensive portfolio, and assessment of video-taped classroom teaching experience].~~

~~[G. "USOE" means Utah State Office of Education.]~~

~~(3)[H.] "Weighted Pupil Unit (WPU)" means the same as that term is defined in Subsection 53F-2-102(7)[unit of measure that is computed in accordance with the Minimum School Program Act for the purpose of determining the costs of a program on a uniform basis for each LEA].~~

**R277-486-3. Eligibility to Receive WPUs for Professional Staff.**

~~[A.](1)(a) An LEA[s] shall only receive WPUs in accordance with the formula provided in Subsection 53F-2-305(1)(a):~~

~~[(1)](i) [only] for [those]an educator[s] who holds at least a bachelor's degree; and~~

~~[(2)](ii) [only] to the extent [that such]an educator[s are] is qualified to work in the area [to which] the[y] educator is [are] assigned consistent with R277-520.~~

~~(b) [For example, an] A full time educator who is [employed full time but is] appropriately qualified in only 75% of [his]the educator's assignments would count as [for only] 0.75 FTEs in the calculation of an LEA's WPU[s].~~

~~[(3)](c) [In order to receive full (100%) funding,] [a]An LEA shall have an appropriately qualified educator in every assignment to receive full funding .~~

~~[B. An educator who is identified as qualified under R277-520 is not necessarily highly qualified for ESEA purposes.]~~

~~[C.](2) An LEA[s shall]may not receive WPUs for interns [in their second or subsequent years nor for]or paraprofessionals in any assignment.~~

**R277-486-4. Acceptable Experience.**

[A:](1) Educator experience for purposes of this rule shall be measured in one-year increments.

[B:](2) For purposes of the professional staff cost calculation, [A]an educator shall be credited by the Superintendent[USOE, for purposes of the professional staff cost calculation,] with one year of experience for every school year in which the educator is employed:

(a) at least half-time (0.5 FTE) in a position that requires a Utah Educator License as described in R277-520; and[an instructional or administrative position]

(b) in a[ny] public school in the State of Utah or in a[ny] regionally accredited:

[(1)](i) public school outside of the State of Utah;

[(2)](ii) private school; [or]

[(3)](iii) institution of higher education; or

(iv) regional service center.

[C:](3) To obtain credit under Subsection [B(1) through (3)](2), the LEA which employs the educator shall submit [to the USOE] acceptable documentation verifying such experience to the Superintendent, including documentation of the school's or institution's regional accreditation.

[D:](4) [Employment]An educator who is employed in a prekindergarten position [shall not be acceptable]may not be counted for the[is] purposes of determining an LEA's professional staff WPU, unless the educator is or was employed in a special education position in an accredited school.

[E:](5) None of the following experiences are considered acceptable for purposes of determining an educator's experience under this rule:

(a) [U]npaid volunteer service;[r]

(b) paid consulting;[r]

(c) employment in non-instructional or non-administrative positions in a school setting;[r] or

(d) [and] a school internship[shall not be acceptable experience under this rule].

[F:](6) The Superintendent may require an educator or LEA to provide

[D]documentation of an educator's experience in a private school, ~~[or]~~ institution of higher education, or a regional service center ~~[- may be required by USOE staff]~~ to determine relevance of experience.

**R277-486-5. Acceptable Training.**

Acceptable training under this rule may include:

[A:](1) Any degree at the bachelor's level or above or credit beyond the current degree from a ~~[(1)]~~ regionally accredited institution of higher education ~~[- or~~  
~~—— [(2)] postsecondary degree granting institution accredited by any of the national~~  
~~accrediting agencies recognized by the United States Department of Education].~~

[B:](2) Any professional development activity consistent with R277-500 and approved in writing by the Superintendent~~[USOE]~~.

**R277-486-6. Mapping Degree Summary Data to Statutory Formula.**

[A:](1) ~~[To ensure consistency in applying data from CACTUS to the formula,]~~ For  
purposes of inputting degree summary data, an LEA shall use the coding provided by the  
Superintendent [following mapping of the relevant two-digit CACTUS Degree Summary codes  
to the five columns of] in correspondence with the Professional Staff Cost formula table in  
Subsection 53F-2-305(1)(a) ~~[shall be used]:~~

~~[(1) 03 = Bachelor's Degree;~~  
~~—— (2) 04 or 05 = Bachelors + 30 quarter hours or 20 semester hours;~~  
~~—— (3) 06 = Master's Degree;~~  
~~—— (4) 07 or 08 = Master's Degree + 45 quarter hours or 30 semester hours;~~  
~~—— (5) 09 = Doctorate.]~~

[B:](2) In addition to credit received for degree categories corresponding with the  
Professional Staff Cost formula table in Subsection 53F-2-305(1)(a), [A]an LEA shall be  
credited for an individual with National Board certification at the doctorate level.

112 **R277-486-7. Data Sources.**

113       [A:](1) For an LEA[s] that ~~[were]~~was in operation in the prior year, data shall be used  
114 from the June ~~[30]~~29 update of CACTUS as required by Section R277-484-3[E].

115       [B:](2) For an LEA[s] that ~~[were]~~was not in operation in the prior year, data shall be  
116 used from the November 15 update of CACTUS as required by Section R277-484-3[M].

117 **KEY: professional staff**

118 **Date of Enactment or Last Substantive Amendment: ~~[June 7, 2012]~~ 2019**

119 **Notice of Continuation: ~~[March 14, 2014]~~ 2019**

120 **Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53E-3-401(4);**  
121 **53F-2-305(2)**